

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION**

Donald P. Cruikshank,

Plaintiff,

v.

Boutique Air, Inc.,

Defendant

Civil Action No. 1:22-cv-02506

**PARTIES' JOINT STATUS REPORT**

In response to Section III of this court's Scheduling Order of January 9<sup>th</sup>, 2023, attached as Exhibit 1 at p. 3, the Parties jointly submit the following status report:

1. Whether discovery has been completed: Plaintiff desires to take a Rule 30(b)(6) deposition of Boutique Air, Inc. Although the deadline for discovery is today, Boutique Air has agreed not to object based on the understanding that the deposition will be completed by August 31, 2023, and will be limited to the following topics:
  - a. Under Boutique Air's FAR Part 135 operations, how the route for an individual flight is chosen and by whom it is chosen;
  - b. Under Boutique Air's FAR Part 135 operations, what the crew is to do when a passenger reports an injury;
  - c. Under Boutique Air's FAR Part 135 operations, what the crew is supposed to do if it becomes aware of a passenger injury.
2. Whether any motions are pending: No motions are pending.

3. Whether any party intends to file a dispositive pretrial motion: Neither party intends to file a dispositive pretrial motion.
4. Whether the case is to be tried jury or non-jury and the anticipated length of trial: A jury trial has been requested in this matter. The parties believe the case will take three days to try.
5. A certification that the parties have met to conduct serious settlement negotiations; and the date, time, and place of the meeting and the names of all persons participating therein: The Parties are scheduled for a settlement conference before Magistrate Judge Brendan A. Hurson on October 17<sup>th</sup>, 2023 and intend to conduct serious settlement negotiations at that time.
6. Whether each party believes it would be helpful to refer this case to another judge of this court for a settlement of other ADR conference, either before or after the resolution of any dispositive pretrial motion: This case has already been referred to Court's alternative dispute resolution program as stated in paragraph five, above.
7. Whether all parties consent, pursuant to 28 U.S.C. § 6369(c), to have a U.S. Magistrate Judge conduct all further proceedings in this case, either before or after the resolution of any dispositive pretrial motion, including trial (jury or non-jury) and entry of final judgment. At this time, both parties do not consent to have this matter heard by a U.S. Magistrate Judge.
8. Any other matter which you believe should be brought to the court's attention: The Parties have no other matters that they believe need the Court's attention.

Respectfully submitted this 9th day of August 2023.

/s/ Douglas P. Desjardins

Douglas P. Desjardins  
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*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

I certify that I filed this Joint Status Report using the Court's ECF system on August 9<sup>th</sup>, 2023, and that, according to the ECF system, this will effect service on:

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/s/ Douglas P. Desjardins

Douglas P. Desjardins